UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,712	08/16/2004	Juha-Pekka Koskinen	59643.00491	7200

32294	7590	08/28/2006

SQUIRE, SANDERS & DEMPSEY L.L.P.
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8000 TOWERS CRESCENT
TYSONS CORNER, VA   22182

EXAMINER
NGUYEN, TUAN HOANG

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/500,712	KOSKINEN ET AL.
	Examiner	Art Unit	
	Tuan H. Nguyen	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *5/30/2006*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 7-05)   Office Action Summary   Part of Paper No./Mail Date 20060808

DETAILED ACTION

Response To Arguments

1.   Applicant's arguments, see applicant's remarks, filed on 05/30/2006, with respect

to the rejection(s) of claims 1-24 under 35 U.S.C § 103(a) have been fully considered

and are persuasive. Therefore, the rejection has been withdrawn. However, upon

further consideration, a new ground(s) of rejection is made in view of Lippelt (US PUB.

2005/0136890) and further in view Sarcanin (US PAT. 6,941,285).

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-3, 5, 10-12, 13-15, 17, 22-24 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Lippelt (US PUB. 2005/0136890) in view of Sarcanin (US PAT.

6,941,285).

        Consider claims 1 and 13, Lippelt teaches communication network configured to

allow charging against prepaid credit in relation to a first terminal, the network including

an accounting server and an accounting client capable of generating costs associated

with a service in the network, the network being configured to: accept a request from the

first terminal for establishment of a call between the first terminal and a second terminal

(page 2 [0015]); ascertain whether any costs generated by accounting clients in the

network, and associated with the call, are to be charged against prepaid credit (page 1

[0007]); in the event some or all of the costs are to be charged against prepaid credit,

establish an accounting session between the accounting server and the accounting

client that will generate the costs to be charged against the prepaid credit, the

accounting session being allocated an accounting session identifier (see fig. 3 page 5

[0050]); and establish the call with the second terminal (page 2 [0020]).

Lippelt does not explicitly show that the accounting client is configured to send

charging update data to the accounting server during the call; and the accounting server

is configured to collate the charging update data on the basis of the accounting session

identifier, thereby enabling updating of the prepaid credit during the call.

In the same field of endeavor, Sarcanin teaches the accounting client is

configured to send charging update data to the accounting server during the call (col. 5

lines 42-50); and the accounting server is configured to collate the charging update data

on the basis of the accounting session identifier, thereby enabling updating of the

prepaid credit during the call (col. 5 lines 16-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use, the accounting client is configured to send charging

update data to the accounting server during the call; and the accounting server is

configured to collate the charging update data on the basis of the accounting session identifier, thereby enabling updating of the prepaid credit during the call, as taught by Sarcanin, in order to provide a system for conducting secure electronic commerce transactions over networks with virtual smart cards.

Consider claims 2 and 14, Lippelt teaches a plurality of accounting clients that generate costs in relation to the call, the network being configured to; establish accounting sessions between each respective accounting client and the accounting · server, each of the accounting sessions being allocated a common accounting session identifier associated with the call to be established (see fig. 3 page 5 [0050]).

Lippelt does not explicitly show that sending charging update data to the accounting server during the call, the charging update data including the accounting session identifier; and the accounting server is configured to collate the charging update data from each of the accounting clients on the basis of the accounting session identifier, thereby enabling updating of the prepaid credit during the call.

In the same field of endeavor, Sarcanin teaches sending charging update data to the accounting server during the call, the charging update data including the accounting session identifier (col. 5 lines 16-50); and the accounting server is configured to collate the charging update data from each of the accounting clients on the basis of the accounting session identifier, thereby enabling updating of the prepaid credit during the call (col. 5 lines 16-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, sending charging update data to the accounting server during the call, the charging update data including the accounting session identifier; and the accounting server is configured to collate the charging update data from each of the accounting clients on the basis of the accounting session identifier, thereby enabling updating of the prepaid credit during the call, as taught by Sarcanin, in order to provide a system for conducting secure electronic commerce transactions over networks with virtual smart cards.

Consider claims 3 and 15, Lippelt further teaches the accounting server is located in the home network of the first terminal (page 1 [0012]).

Consider claims 5 and 17, Lippelt further teaches configured such that the accounting session identifier is allocated upon receipt in the network of the request for establishment of a call from the first terminal (page 6 [0058]).

Consider claims 10 and 22, Lippelt further teaches configured to ascertain whether costs are to be charged against prepaid credit by looking up subscriber profile data upon receipt of the request for establishment of the call (page 3 [0028]).

Consider claims 11 and 23, Lippelt further teaches the network is an IP-network (page 5 [0056]).

Consider claims 12 and 24, Lippelt further teaches the network is a UMTS network (page 5 [0048]).

4.   Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippelt in view of Sarcanin as applied to claims 1 and 13 above, and further in view of Cobo et al. (U.S PAT. 6,496,690 hereinafter, "Cobo").

Consider claims 4 and 16, Lippelt and Sarcanin, in combination, fails to teaches each accounting client takes the form of one of the following network entities: SGSN/GGSN; S-CSCF/P-CSCF; and a network application server.

However, Cobo teaches each accounting client takes the form of one of the following network entities: SGSN/GGSN; S-CSCF/P-CSCF; and a network application server (col. 4 line 65 through col. 5 line 12).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Cobo into view of Lippelt and Sarcanin, in order to provide a prepaid subscriber service to a mobile subscriber in an integrated wireless telecommunications network having a circuit-switched portion and a General Packet Radio Service (GPRS) packet-switched portion.

5.   Claims 6-9 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lippelt in view of Sarcanin as applied to claims 1 and 13 above, and further in view

of Chaney (U.S PAT. 6,947,724).

        Consider claims 6 and 18, Lippelt and Sarcanin, in combination, fails to teaches

the request for establishment of a call is made via a Session Initiation Protocol (SIP)

message sent from the first terminal.

        However, Chaney teaches the request for establishment of a call is made via a

Session Initiation Protocol (SIP) message sent from the first terminal (col. 1 lines 16-

39).

        Therefore, it is obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the disclosing of Chaney into view of Lippelt and Sarcanin, in

order to provide billing a call placed by a user based on a reported traffic load in the

network.

        Consider claims 7 and 19, Chaney further teaches the charging update data is

sent from the accounting clients to the accounting server via a Diameter protocol

message (col. 8 lines 1-6).

        Consider claims 8 and 20, Chaney further teaches the charging update data is

sent from each accounting client to the accounting client in response to a Diameter

protocol update request issued by the accounting server (see fig. 5 col. 8 lines 7-14).

Consider claims 9 and 21, Chaney further teaches the accounting server issues the update requests to each accounting client periodically (col. 8 lines 43-53).

Conclusion

6.   Any response to this action should be mailed to:

Mail Stop_____ (Explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

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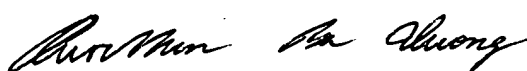Randolph Building

401 Dulany Street

Alexandria, VA 22313

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is (571) 272-8329. The examiner can normally be reached on 8:00Am - 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Maung Nay A. can be reached on (571) 272-7882. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Tuan Nguyen   8/16/06
Examiner   QUOCHIEN B. VUONG
Art Unit 2618   PRIMARY EXAMINER